

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT D. GIBSON,
Plaintiff,

v.

ARNOLD SCHWARZENEGGER, et al.,
Defendants.

No. C 10-01677 SBA (PR)

**ORDER DIRECTING CLERK OF
COURT TO TERMINATE ACTION**

Pursuant to the notice of voluntary dismissal of this action filed by Plaintiff on April 29, 2010, this action is terminated. See Fed. R. Civ. P. 41(a)(1)(A)(i) ("[A]n action may be dismissed by the plaintiff without order of the court . . . by filing a notice of dismissal."); Hamilton v. Shearson-Lehman Am. Exp. Inc., 813 F.2d 1532, 1534-1536 (9th Cir. 1987) (Rule 41(a)(1)(A)(i) does not require leave of court to dismiss the action). The dismissal is without prejudice. See Fed. R. Civ. P. 41(a)(1)(B) (unless plaintiff's notice of dismissal states otherwise, it is deemed to be "without prejudice"); Humphreys v. United States, 272 F.2d 411, 412 (9th Cir. 1959).

The Clerk of the Court shall close the file. Plaintiff's in forma pauperis application is GRANTED. This Order terminates Docket no. 3.

IT IS SO ORDERED.

DATED: 5/10/10


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4
5

6 ROBERT D. GIBSON,
7 Plaintiff,

Case Number: CV10-01677 SBA

CERTIFICATE OF SERVICE

8 v.

9 ARNOLD SCHWARZENEGGER et al,
10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on May 12, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

16
17 Robert D. Gibson E-09929
18 Salinas Valley State Prison
19 P.O. Box 1050
Soledad, CA 93960

20 Dated: May 12, 2010

21 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
22
23
24
25
26
27
28